

BEFORE THE
Federal Communications Commission
WASHINGTON, D.C.

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of

Amendment of Section 73.622(b)

Table of Allotments

Digital Television Broadcast Stations
(Hazleton, Pennsylvania)

MM Docket No. 99-____

RM-____

To: Chief, Video Services Division

PETITION FOR RULE MAKING

WOLF License Corp. ("Wolf"), licensee of Station WOLF-TV, Hazleton, Pennsylvania, by its undersigned attorneys, hereby requests that the Commission initiate a rule making proceeding to substitute and allot DTV Channel 45 for its assigned DTV Channel 9 at Hazleton, Pennsylvania at reference coordinates 41-11-00 N. and 75-52-10 W.

As set forth in the attached engineering proposal, operation on DTV Channel 45 appears possible with an effective radiated power ("ERP") of up to 546 kW, utilizing a nondirectional antenna and an antenna height above average terrain (HAAT) of 488 meters. Thus, Wolf requests the following change in the DTV Table of Allotments:

	<u>Current</u>	<u>Proposed</u>
Hazleton, Pennsylvania	9	45

Discussion

Wolf's proposed substitution of DTV Channel 9 for DTV Channel 45 would permit Station WOLF-TV to maximize its service area during the DTV transition period. Also, while Wolf's current channel allotment of DTV Channel 9 will likely result in the displacement of

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LPTV Station W09BL, licensed on co-channel 9 at Williamsport, Pennsylvania, its proposed allotment of DTV Channel 45 will not result in the displacement of any existing or authorized TV translator or LPTV station. Thus, this proposal is in the public interest.

The proposed channel change is in compliance with the principle community coverage requirements of Section 73.625(a) and is acceptable under the 2 percent criterion for *de minimis* impact applicable to DTV allotment modifications under Section 73.623(c)(2).

If the proposal set forth herein is adopted, Wolf will file the appropriate application for the facility requested herein and, if authorized, will construct and place the station into operation.

Conclusion

For the foregoing reasons, Wolf respectfully requests that the Commission initiate the rule making requested herein and that it substitute DTV Channel 45 for DTV Channel 9 at Hazleton, Pennsylvania with an ERP of up to 546 kW and an HAAT of 488 meters.

Respectfully submitted,

WOLF LICENSE CORP.

By: 

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Its Attorneys

Dated: December 17, 1999

EXHIBIT A

TECHNICAL EXHIBIT
PREPARED IN SUPPORT OF
PETITION FOR RULE MAKING TO
MODIFY THE DTV ALLOTMENT TABLE
STATION WOLF-TV
HAZLETON, PENNSYLVANIA

Technical Summary

This technical narrative and associated exhibits have been prepared on behalf of WOLF-TV, Hazleton, Pennsylvania, in support of a Petition for Rule Making to modify the DTV allotment of WOLF-TV from VHF channel 9 to UHF channel 45.

DTV channel 45 can be substituted and allotted to Hazleton, Pennsylvania in compliance with the principle community coverage requirements of Section 73.625(a) at reference coordinates Latitude 41°11'00", Longitude 75°52'10".¹ In addition, operation on DTV channel 45 appears possible with an effective radiated power (ERP) of up to 546 kW utilizing a nondirectional antenna and an antenna height above average terrain (HAAT) of 488 meters.² The proposed channel change is acceptable under the 2 percent criterion for *de minimis* impact applicable to DTV allotment modifications under Section 73.623(c)(2). Therefore, it is proposed to modify WOLF-TV's authorization to specify operation on the alternate DTV channel with the following specifications:

State & City	DTV Channel	DTV ERP (kW)	Antenna HAAT (m)
PA, Hazleton	45	546	488

¹ This is the current site of WOLF-TV's NTSC operation on channel 56 as well as the site proposed in WOLF-TV's pending DTV application to implement operation on channel 9 (BPCDT-980825KI).

It is also proposed to amend the DTV Table of Allotments, Section 73.622(b) of the Commission's Rules, as follows:

<u>City</u>	<u>Channel No.</u>	
	<u>Present</u>	<u>Proposed</u>
Hazleton, Pennsylvania	9	45

Station WOLF-TV is currently allotted VHF channel 9 for its DTV operation with an ERP of 3.2 kW and an HAAT of 329 meters. In addition, WOLF-TV has pending an application to implement the channel 9 DTV allotment which specifies a nondirectional antenna maximum ERP of 6.3 kW and an HAAT of 488 meters (BPCDT-980825KI).

Station WOLF-TV proposes to allot UHF channel 45 at Latitude 41°11'00", Longitude 75°52'10". It is proposed to operate with an antenna radiation center height above mean sea level (RCMSL) of 873 meters, an antenna radiation center height above average terrain of (HAAT) of 488 meters and a nondirectional antenna maximum ERP of 546 kW.

Figure 1 is a DTV channel 45 separation study toward other NTSC and DTV allotments based on a 161 kilometer "buffer". Although the separation requirements are only applicable to new DTV allotments, they can be used as an indication of which stations have the potential of receiving interference from the proposed channel 45 DTV operation.

Figure 2 provides a summary of interference and service for the proposed channel 45 allotment. Determination of interference and service was based on the procedures outlined in OET Bulletin No. 69 and criteria contained in

² Equivalent maximum facilities pursuant to 73.622(8)(i).

Sections 73.622 and 73.623 of the FCC's rules.³ It is believed that the proposed channel 45 operation is in full compliance with the FCC's 2%/10% interference criteria.

Figure 3 is a map which depicts the 41 dBu, noise limited, contour for the proposed channel 45 DTV operation. Also shown are the city limits of Hazleton based on 1990 Census data. As indicated, all of Hazleton is located within the 41 dBu contour. Therefore, the proposed channel 45 DTV allotment will comply with the city coverage requirements contained in Section 73.625(a). Also shown on Figure 3 is the 64 dBu contour for WOLF-TV's currently authorized NTSC channel 56 operation (BMPCT-971222KE). As indicated, the proposed channel 45 operation will provide full replication of coverage.

Studies indicate that the proposed channel 45 operation will not result in the displacement of any existing or authorized TV translator or LPTV stations. However, it appears that the current channel 9 DTV allotment will likely result in the displacement of LPTV station W09BL which is currently licensed to operate on co-channel 9 at Williamsport, Pennsylvania (BLTVL-870804IA; Licensee: Penn Central Broadcasting, Inc.) from a site located 93.4 kilometers from the proposed WOLF-TV DTV channel 9 allotment site. As a result, it is believed that adoption of the channel 45 allotment proposal will have less adverse impact to existing or authorized TV Translator and LPTV stations.

³ The du Treil, Lundin & Rackley, Inc. DTV interference analysis program is based on the program and procedures outlined by the FCC in the Sixth Report and Order; subsequent Memorandum Opinion and Order; and FCC OET Bulletin No. 69. A nominal grid size resolution of 2 km was employed. An Alpha based processor computer system was employed. The results have been found to be in very close agreement with the results of the FCC implementation of OET Bulletin No. 69.

As the community of Hazleton, Pennsylvania is located within 400 kilometers of the U.S.-Canadian border, concurrence by the Canadian government will likely be required for this proposal. Figure 4 is a tabulation of all Canadian NTSC and DTV allotments on channels 44, 45 and 46 located within 400 km of the proposed site. All the Canadian NTSC and DTV allotments are located at distances greater than the minimum distance set forth in Section D.3 (Proposed Canadian Tables) of the Canadian publication entitled "Digital Television, Service Considerations and Allotment Principles" prepared by the JTCAB Ad Hoc Group on DTV Planning Parameters (January 1997).

Conclusion

UHF channel 45 can be substituted for the current VHF DTV channel 9 allotment of WOLF-TV in compliance with the FCC's rules concerning DTV allotment changes.



W. Jeffrey Reynolds

du Treil, Lundin & Rackley, Inc.
201 Fletcher Avenue
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(941) 3290-6000

September 23, 1999

TECHNICAL EXHIBIT
PREPARED IN SUPPORT OF
PETITION FOR RULE MAKING TO
MODIFY THE DTV ALLOTMENT TABLE
STATION WOLF-TV
HAZLETON, PENNSYLVANIA

DTV to NTSC Separation Study

Job Title : Proposed DTV Ch. 45
Zone : 1
Channel 45 (656-662 MHz)

Separation Buffer 161 km
FCC TV DB Date : 09/17/99
Coordinates : 41-11-00 75-52-10

Call Status	City St	FCC File No.	Channel Zone	ERP(kW) HAAT(m)	Latitude Longitude	Bear. True	Dist. (km)	Req. (km)
NEW	CORNING		*30(o)	813	42-01-55	321.4	121.23	24.1/80.5
APP	NY	BPET-960126KE	I	242	76-47-02		40.73	CLEAR
ALLOC.	CORNING		*30(o)		42-08-36	317.7	145.44	24.1/80.5
	NY	-	I	0	77-03-25		64.94	CLEAR
NEW	CORNING		*30(o)	12 DA	42-09-43	318.7	145.87	24.1/80.5
APP	NY	BPET-960401KF	I	166	77-02-15		65.37	CLEAR
WPXNTV	NEW YORK		31(-)	2820 DA	40-42-43	108.0	164.81	24.1/80.5
LIC	NY	BLCT-860703KH	I	475	74-00-49		84.31	CLEAR
COMMERCIAL CHANNEL OPERATING NONCOMMERCIALY								
WPXNTV	NEW YORK		31(-)	5000 DA	40-42-43	108.0	164.81	24.1/80.5
APP	NY	BPCT-961205KF	I	475	74-00-49		84.31	CLEAR
APP. DISMISSED 08-19-98; PETITION FOR RECON. 09-30-98.								
WSWB	SCRANTON		38(+)	1290	41-26-09	22.6	30.41	24.1/80.5
LIC	PA	BLCT-870831KF	I	385	75-43-45		-6.31	SHORT
WXTV	PATERSON		41(-)	2340 DA	40-44-54	106.4	165.75	24.1/80.5
LIC	NJ	BLCT-920218KE	I	421	73-59-10		85.25	CLEAR
WTFX-DT	PHILADELPHIA		42	305	40-03-33	156.7	135.76	24.1/80.5
CP	PA	BPCDT-980319KE	I	161	75-14-21		55.26	CLEAR
ERP AS SHOWN ON CP.								
	PHILADELPHIA		42(o)		39-56-58	156.0	149.76	0.0
LMRS	PA	-		0	75-09-21		0.00	LMRS
PROPOSED LAND MOBILE DOCKET D85-172.								
ALLOC.	ONEONTA		*42(o)		42-27-18	25.1	156.43	24.1/80.5
	NY	-	I	0	75-03-38		75.93	CLEAR
WNJT-DT	TRENTON		*43	46.0	40-16-58	134.7	141.39	24.1/80.5
CP	NJ	BPEDT-990528KE	I	261	74-41-11		60.89	CLEAR
DIGITAL TV, ERP AS SHOWN ON APPLICATION								
WPMT	YORK		43(o)	2140	40-01-38	205.9	142.50	24.1/80.5
LIC	PA	BLCT-840905KI	I	415	76-36-00		62.00	CLEAR
WPMT	YORK		43(o)	5000 DA	40-01-38	205.9	142.50	24.1/80.5
CP	PA	BPCT-960724KK	I	417	76-36-00		62.00	CLEAR
WNYSTV	SYRACUSE		43(+)	776 DA	42-52-50	351.9	190.50	24.1/80.5
CP MOD	NY	BMPCT-960624KN	I	445	76-11-59		110.00	CLEAR

Call Status	City St	FCC File No.	Channel Zone	ERP(kW) HAAT(m)	Latitude Longitude	Bear. True	Dist. (km)	Req. (km)
WNYSTV LIC	SYRACUSE NY	BLCT-891026KF	43 (+) I	17.8 35	43-03-33 76-08-10	354.1 129.03	209.53	24.1/80.5 CLEAR
WSAH LIC	BRIDGEPORT CT	BLCT-871009KE	43 (-) I	2290 156	41-21-43 73-06-48	84.2 151.29	231.79	24.1/80.5 CLEAR
WVIATV LIC	SCRANTON PA	BLET-830929KG	*44 (-) I	1000 509	41-10-55 75-52-17	226.4 11.77	0.23	12.0/106.0 CLOSE
WBFF LIC	BALTIMORE MD	BLCT-890526KF	45 (o) I	1290 386	39-20-10 76-38-59	198.1 -1.71	215.59	217.3 SHORT
WMHQ LIC	SCHENECTADY NY	BLCT-850114KJ	45 (o) I	2950 338	42-37-37 74-00-40	43.2 5.17	222.47	217.3 CLOSE
ALLOCATED TO ALBANY-SCHENECTADY, NY.								
ALLOC. NY	ALBANY-SCHENECTADY	-	45 (o) I	0	42-39-01 73-45-01	46.4 22.41	239.71	217.3 CLEAR
ALLOCATION USED SCHENECTADY, NY.								
ALLOC. ON	BROCKVILLE	-	45 (+) I	0	44-36-00 75-41-00	2.2 129.86	379.86	250.0 CLEAR
ALLOC. ON	PRESCOTT	-	45 (+) I	0	44-49-55 75-31-17	3.9 156.32	406.32	250.0 CLEAR
WSKGTV LIC	BINGHAMTON NY	BLET-830315KJ	*46 (+) I	603 375	42-03-22 75-56-39	356.4 -8.86	97.14	12.0/106.0 SHORT
WNJU LIC	LINDEN NJ	BLCT-800423KE	47 (+) I	4570 460	40-42-43 74-00-49	108.0 84.31	164.81	24.1/80.5 CLEAR
WKBSTV LIC	ALTOONA PA	BLCT-850925KE	47 (o) I	1510 308	40-34-12 78-26-26	253.3 146.69	227.19	24.1/80.5 CLEAR
WGTW APP	BURLINGTON NJ	BPCT-950706KF	48 (-) I	5000 364	40-02-49 75-14-08	156.8 56.63	137.13	24.1/80.5 CLEAR
WGTW CP	BURLINGTON NJ	BPCT-840104KL	48 (-) I	2340 335	40-02-36 75-14-33	157.1 56.77	137.27	24.1/80.5 CLEAR
WYDC LIC	CORNING NY	BLCT-940920KE	48 (+) I	12 166	42-09-43 77-02-15	318.7 65.37	145.87	24.1/80.5 CLEAR
WRNNTV	KINGSTON NY	-	48 I	200 381	41-29-19 73-56-52	77.4 83.90	164.40	24.1/80.5 CLEAR
DIGITAL RULEMAKING, FROM DTV CHANNEL 21								
WNEP-DT APP	SCRANTON PA	BPCDT-990729KF	49 I	100 506	41-11-00 75-52-10	0.0 24.10	0.00	24.1/80.5 CLEAR
DIGITAL TV								
WGCBTV LIC	RED LION PA	BLCT-790419KG	49 (+) I	617 177	39-54-18 76-35-00	203.2 73.81	154.31	24.1/80.5 CLEAR
WEDW LIC	BRIDGEPORT CT	BLET-870908KE	*49 (-) I	1950 222	41-16-43 73-11-08	86.4 144.78	225.28	24.1/80.5 CLEAR

Call Status	City St	FCC File No.	Channel Zone	ERP(kW) HAAT(m)	Latitude Longitude	Bear. True	Dist. (km)	Req. (km)
NEW APP	ITHACA NY		52(o) I	123. 206	42-20-35 76-07-05	351.0 49.97	130.47	24.1/80.5 CLEAR
WNJT LIC	TRENTON NJ		*52(-) I	1950 271	40-17-00 74-41-20	134.8 60.70	141.20	24.1/80.5 CLEAR
NEW APP	ITHACA NY		52(o) I	759. 122	42-24-40 76-24-21	342.1 62.98	143.48	24.1/80.5 CLEAR
NEW APP	ITHACA NY		52(o) I	100 145	42-21-49 76-36-20	335.3 64.18	144.68	24.1/80.5 CLEAR
ALLOC.	ITHACA NY	-	52(o) I	0	42-26-30 76-30-06	339.7 68.82	149.32	24.1/80.5 CLEAR
WILF LIC	WILLIAMSPORT PA		53(-) I	12.3 222	41-11-57 77-07-38	271.4 25.04	105.54	24.1/80.5 CLEAR
WILF CP	WILLIAMSPORT PA		53(-) I	1320 244	41-11-57 77-07-38	271.4 25.04	105.54	24.1/80.5 CLEAR
WWACTV LIC	ATLANTIC CITY NJ		53(+) I	12.3 85	39-22-51 74-27-03	148.6 153.21	233.71	24.1/80.5 CLEAR
ALLOC.	STATE COLLEGE PA	-	*59(+) I	0	40-47-40 77-51-32	256.1 92.40	172.90	24.1/80.5 CLEAR
NEW APP	VINELAND NJ		59(-) I	708. 242	39-43-41 74-50-39	151.5 103.02	183.52	24.1/80.5 CLEAR
REQUESTS A WAIVER OF FREEZE;DA TABULATIONS ARE UNAVAILABLE.								
ALLOC.	VINELAND NJ	-	59(-) I	0	39-29-12 75-01-36	159.0 121.06	201.56	24.1/80.5 CLEAR
NEW APP	VINELAND NJ		59(-) I	1510 58	39-25-19 75-01-14	159.5 127.98	208.48	24.1/80.5 CLEAR
REQUESTS A WAIVER OF FREEZE.								
ALLOC.	UTICA NY	-	*59(o) I	0	43-06-12 75-13-33	13.7 139.31	219.81	24.1/80.5 CLEAR
NEW APP	UTICA NY		*59(o) I	10 250	43-08-38 75-10-40	14.4 144.66	225.16	24.1/80.5 CLEAR
WBPHTV LIC	BETHLEHEM PA		60(-) I	12.0 225	40-33-54 75-26-27	152.2 -2.90	77.60	24.1/80.5 SHORT
WBPHTV CP	BETHLEHEM PA		60(-) I	2950 284	40-33-54 75-26-26	152.2 -2.89	77.61	24.1/80.5 SHORT
WBPHTV APP	BETHLEHEM PA		60(-) I	2950 284	40-33-54 75-26-26	152.2 -2.89	77.61	24.1/80.5 SHORT

** End of TV Separation Study for Channel 45 **

DTV to DTV Separation Study

Job Title : Proposed DTV Ch. 45

Separation Buffer 161 km

Zone : 1

FCC DTV DB Date: 12/18/98

Channel 45 (656-662 MHz)

Coordinates : 41-11-00 75-52-10

Call	City	Channel	ERP(kW)	Latitude	Bear.	Dist.	Req.
Status	St	FCC File No.	Zone	HAAT(m)	Longitude	True (km)	(km)
DWNYW	NEW YORK	44	224.8	40-42-43	108.0	164.80	24.0/110.0
DTVALT	NY	I	515	74-00-49		54.80	CLEAR
DWNYSTV	SYRACUSE	44	50	42-52-50	351.9	190.49	24.0/110.0
DTVALT	NY	I	445	76-11-59		80.49	CLEAR
DWWPB	HAGERSTOWN	44	209.2	39-39-04	226.9	246.49	24.0/110.0
DTVALT	MD	I	378	77-58-15		136.49	CLEAR
DWABCTV	NEW YORK	45	164.3	40-42-43	108.0	164.80	196.3
DTVALT	NY	I	491	74-00-49	.	-31.50	SHORT
DWROCTV	ROCHESTER	45	1000	43-08-07	327.5	259.01	196.3
DTVALT	NY	I	152	77-35-02		62.71	CLEAR
DWEDN	NORWICH	45	50	41-31-11	81.9	312.03	196.3
DTVALT	CT	I	207	72-10-04		115.73	CLEAR
DWFMZTV	ALLENTOWN	46	50	40-33-54	152.2	77.60	24.0/110.0
DTVALT	PA	I	313	75-26-26		-32.40	SHORT
DWBFF	BALTIMORE	46	50	39-20-10	198.1	215.58	24.0/110.0
DTVALT	MD	I	386	76-38-59		105.58	CLEAR
DWKBSTV	ALTOONA	46	50	40-34-12	253.3	227.18	24.0/110.0
DTVALT	PA	I	308	78-26-26		117.18	CLEAR

** End of DTV Separation Study for Channel 45 **

TECHNICAL EXHIBIT
PREPARED IN SUPPORT OF
PETITION FOR RULE MAKING TO
MODIFY THE DTV ALLOTMENT TABLE
STATION WOLF-TV
HAZLETON, PENNSYLVANIA

Interference and Service Summary

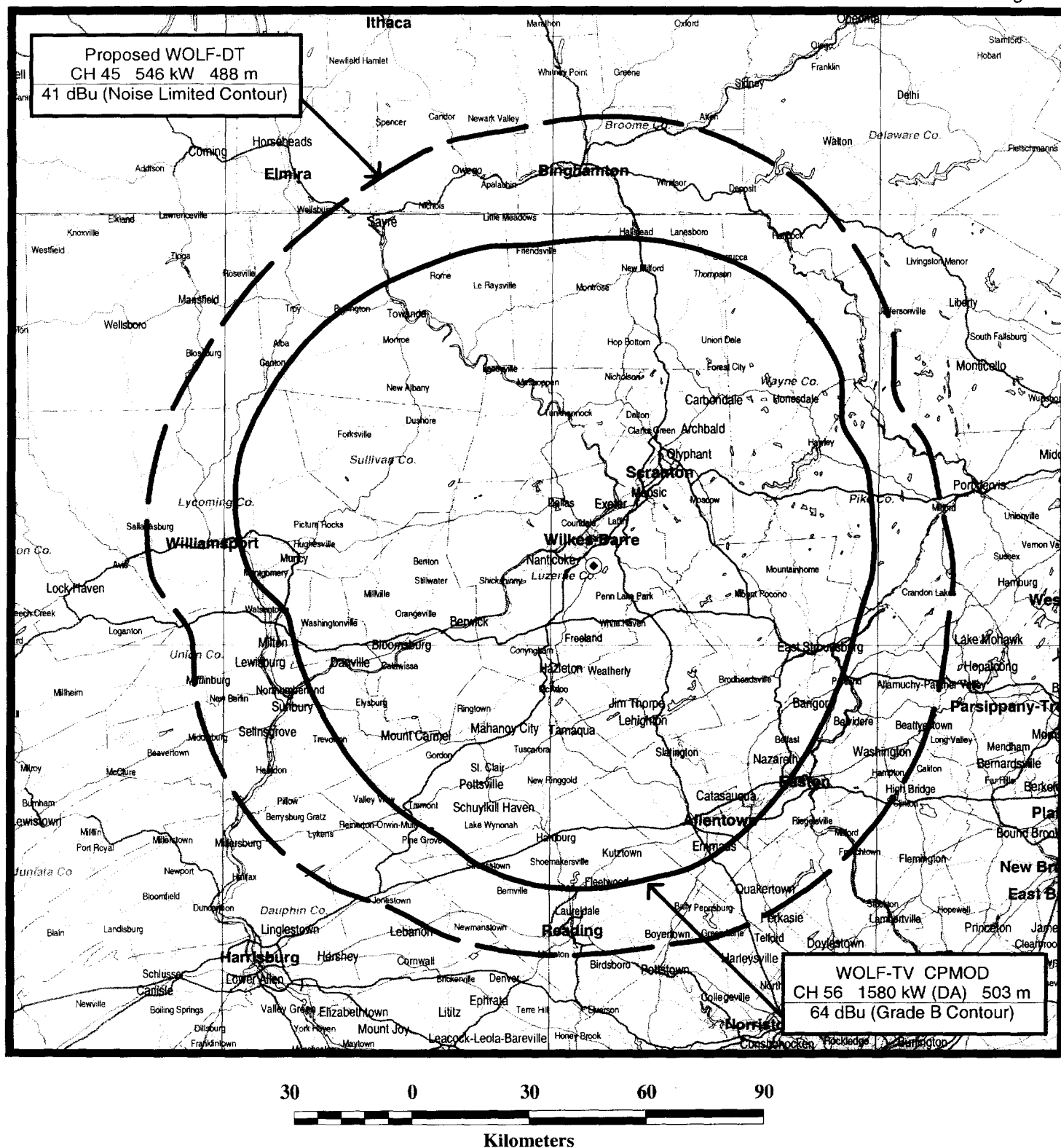
I. Interference Caused

Protected NTSC/DTV Station	FCC Service Population	Proposed Interference Population	Unique Interference Population*
WSWB, NTSC Ch. 38 Scranton, PA	1,141,754	17,696 (1.6%)	--
WVIA-TV, NTSC Ch. 44 Scranton, PA	1,682,329	2,201 (0.1%)	--
DWABC-TV, DTV Ch. 45 New York, NY 164.3 kW/491 m 200 kW/491 m	17,845,000 18,110,282	142,733 (0.8%) 137,785 (0.8%)	-- --
DWABC-TV, DTV Ch. 45 (CP) New York, NY 182 kW/397 m 200 kW/397 m	17,624,088 17,670,225	120,870 (0.7%) 115,680 (0.7%)	-- --
WBFF, NTSC Ch. 45 Baltimore, MD	5,986,630	113,522 (1.9%)	--
WMHQ, NTSC Ch. 45 Schenectady, NY	1,255,481	1,284 (0.1%)	--
DWROC-TV, DTV Ch. 45 Rochester, NY 1000 kW/152 m	1,182,000	787 (0.1%)	--
DWFMZ-TV, DTV Ch. 46 (Allotment) Allentown, PA 50 kW/313 m 200 kW/313 m	2,084,000 5,883,093	36,383 (1.8%) 46,651 (0.8%)	-- --
DWFMZ-TV, DTV Ch. 46 (CP) Allentown, PA 50 kW/293 m 200 kW/293 m	3,267,938 5,412,236	45,350 (1.4%) 50,381 (1.0%)	-- --
DWFMZ-TV, DTV Ch. 46 (Application) Allentown, PA 200 kW/293 m	5,757,662	42,307 (0.7%)	--
WSKG-TV, NTSC Ch. 46 Binghamton, NY	664,198	3,789 (0.6%)	
DWEIN, DTV Ch. 45 Norwich, CT 50 kW/207 m 200 kW/207 m	839,000 2,813,533	0 (0.0%) 2,331 (0.0%)	-- --

*Considers interference "masking" from other NTSC and DTV assignments.

II. Service

	Population
Within Noise Limited Contour	2,766,744
Not Affected by Terrain Losses	2,177,988
Lost to NTSC Interference	57,947
Lost to DTV Interference	303,882
Total Service	1,816,159



PREDICTED 41 dBu NOISE-LIMITED COVERAGE CONTOUR

STATION WOLF-DT
HAZLETON, PENNSYLVANIA
CH 45 546 KW 488 M

TECHNICAL EXHIBIT
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 MODIFY THE DTV ALLOTMENT TABLE
 STATION WOLF-TV
 HAZLETON, PENNSYLVANIA

CANADIAN NTSC/DTV WITHIN STUDY

Job Title :Proposed DTV Ch. 45

TV/DTV Within 400.0 km

Sorted by Channel

FCC TV DB Date : 09/17/99

Channels 44 to 45

Coordinates : 41-11-00 75-52-10

Call	City		Channel	ERP(kw)	Latitude	Bearing	Distance
Status	State	FCC File No.	Zone	HAAT(m)	Longitude	deg-True	(km) (mile)
CBLFT12	PETERBOROUGH		44(o)	111 DA	44-07-11	331.17	375.45 233.34
LIC	ON	-	I	268	78-08-12		
CBLFT-1	PETERBOROUGH		44		44- 7-10	331.17	375.45 233.34
NTSCC	ON				78- 8-12		
ALLOC.	BROCKVILLE		45(+)		44-36-00	2.22	379.86 236.08
	ON	-	I	0	75-41-00		

** End of TV Within Study **

CERTIFICATE OF SERVICE

I, Karleen Lamie, a secretary in the law firm of Fisher Wayland Cooper Leader & Zaragoza L.L.P., hereby certify that on this 17th day of December, 1999, I caused to be served by hand delivery a copy of the foregoing "**Petition for Rule Making,**" on the following:

John A. Karousos, Chief
Allocations Branch
Policy and Rules Division
Mass Media Bureau
Federal Communications Commission
445 12th Street, S.W.
3-A320
Washington, DC 20554


Karleen Lamie